

ORDINANCE NO. BL2019-1473

An ordinance amending section 11.12.070 of the Metropolitan Code to exempt educational institutions from certain sound amplification standards.

WHEREAS, except in certain downtown areas, section 11.12.070 of the Metropolitan Code of Laws prohibits the use of sound amplification equipment that produces plainly audible sounds at the nearest residentially occupied property; and

WHEREAS, the use of sound amplification equipment by educational institutions during typical campus activities, including athletic events, musical performances and student festivals, should be permitted during reasonable hours.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. Subsection 11.12.070(A)(1) of the Metropolitan Code shall be replaced in its entirety with the following:

Operate or allow the operation of any sound amplification equipment so as to create sounds that are plainly audible from the boundary line of the nearest residentially occupied property. For multifamily structures, including apartments, condominiums, or other residential arrangements where boundary lines can not readily be determined, it shall be unlawful to operate or allow the operation of any sound amplification equipment so as to create sounds that are plainly audible from any point within the interior of another residential unit in the same complex or within the boundary line of the nearest residentially occupied property. For purposes of this section, "sound amplification equipment" means a radio, tape player, compact disc player, digital audio player, television, electronic audio equipment, musical instrument, sound amplifier, or other mechanical or electronic sound-making device that produces, reproduces or amplifies sound. This subsection shall not apply to a special event, mass gathering or other permitted activity by the metropolitan government or its boards or commissions. This subsection shall not apply to educational institutions during typical on-campus activities, including athletic events, musical performances, and student festivals. Further, the provisions of this section shall not apply to entertainment facilities constructed to provide outdoor entertainment owned by metropolitan government or its agencies and parks under the control of the board of parks and recreation. For the purpose of this subsection, "plainly audible" means any sound which clearly can be heard by unimpaired auditory senses.

Section 2. This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Russ Pulley
Member of Council